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HARRISBURG, PA

APR 24 2003

MARY E. D'ANDREA, CLERK  
Per [Signature]

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

AMANDA BARGE and  
ARTHUR BARGE,  
Plaintiffs

v.

DAVID J. SALINGER, M.D.;  
WILLIAM YING, Ph.D.;  
KEYSTONE ONCOLOGY, LLC d/b/a  
HERITAGE HILLS ONCOLOGY CTR.;  
COMPREHENSIVE PHYSICS AND  
REGULATORY SERVICE, LTD. and  
EQUIMED, INCORPORATED,  
Defendants

CASE NUMBER: 1:00-CV-1881

Judge ~~Rambo~~ CONNER

JURY TRIAL DEMANDED

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PROPOSED VERDICT FORM OF DEFENDANTS WILLIAM YING, Ph.D. AND  
COMPREHENSIVE PHYSICS AND REGULATORY SERVICES

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1. Was Dr. David Salinger negligent in his care and treatment of Amanda Barge?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

If you answer question 1 "NO" then the Plaintiffs cannot recover damages from Dr.

Salinger and you should go on to question number 3. If you answer question number 1 "YES" then  
go on to question number 2.

2. Was the negligence of Dr. David Salinger a substantial factor in causing an injury to Amanda Barge?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

If you answer question number 2 "NO" then the Plaintiffs cannot recover damages from Dr. Salinger and you should go on to question number 3. If you answer question 2 "YES" then you should go on to question 3.

3. Was Dr. William Ying negligent in his calibration of the superficial treatment unit used at the Heritage Hills Cancer Center?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

If you answer question number 3 "NO" then the Plaintiffs cannot recover damages from Dr. Ying. If you answered **either** questions 1 or 2 "NO" **AND** you also answered question 3 "NO" then the Plaintiffs cannot recover damages and you should return to the courtroom. If you answered **both** questions 1 and 2 "YES" **OR** if you answered question 3 "YES" you should go on to question number 4.

4. Was the negligence of Dr. William Ying a substantial factor in causing an injury to Amanda Barge?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

If you answer question number 4 "NO" then the Plaintiffs cannot recover damages from Dr. Ying. If you answered **either** questions 1 or 2 "NO" **AND** you also answered **either**



questions 3 or 4 "NO" then the Plaintiffs cannot recover damages and you should return to the courtroom. If you answered **both** questions 1 and 2 "YES" **OR** if you answered **both** questions 3 and 4 "YES" you should go on to question number 5.

5. Was Plaintiff Amanda Barge contributorily negligent in failing to follow the advice and recommendations of her physicians?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

If you answer question 5 "YES" go on to question 6. If you answer question 5 "NO" go on to question 7.

6. Was the contributory negligence of Plaintiff Amanda Barge a substantial factor in exacerbating or worsening her condition?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

Please go on to question 7.

7. Please state the percentage of negligence attributable to:

Dr. David Salinger

\_\_\_\_\_

Dr. William Ying.

\_\_\_\_\_

Amanda Barge

\_\_\_\_\_

100%

If you answered **either** question 1 or 2 "NO" then you must place a zero (0) in the space for Dr. David Salinger. If you answered **either** question 3 or 4 "NO" then you must place a

zero (0) in the space for Dr. William Ying. If you answered **either** question 5 or 6 "NO" then you must place a zero (0) in the space for Amanda Barge. The sum of all numbers entered above must equal 100 percent. If the amount of negligence attributed to Amanda Barge is greater than the sum of the negligence attributed to **all** Defendants, the Plaintiffs cannot recover and you should return to the courtroom. If the amount of negligence attributed to Amanda Barge is less than the sum of the negligence attributed to **all** Defendants, please go on to question 8.

8. Kindly state the amount of damages, if any, to be awarded to the Plaintiffs:

Amanda Barge \_\_\_\_\_  
 Arthur Barge \_\_\_\_\_

9. Was Dr. David Salinger the agent or employee of Keystone Oncology?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

Please go on to question number 10.

10. Was Dr. William Ying, the agent or employee of Comprehensive Physics and Regulatory Services?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

Please return to the courtroom.

\_\_\_\_\_  
 Jury Foreperson

\_\_\_\_\_  
 Date



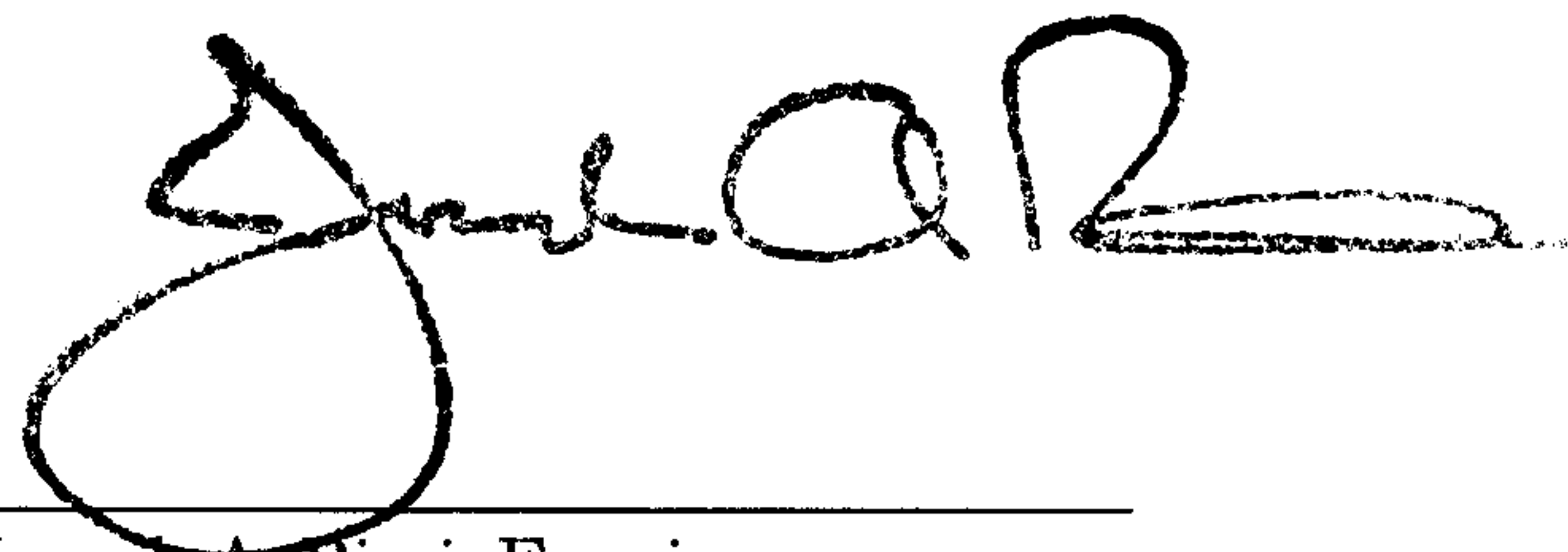
**CERTIFICATE OF SERVICE**

**AND NOW**, this \_\_\_\_\_ day of April, 2003, I, Joseph A. Ricci, Esquire, hereby certify that I served a true and correct copy of the foregoing ***Proposed Verdict Form*** upon all counsel of record as listed below by hand-delivering a copy of same:

Richard Oare, Esquire  
1434 South George Street  
York, PA 17403

Louis G. Close, III, Esquire  
22 West Pennsylvania Avenue  
Suite 300  
Towson, MD 21204

B. Craig Black, Esquire  
Robert A. McDermott, Esquire  
McKissock & Hoffman, P.C.  
2040 Linglestown Road  
Suite 302  
Harrisburg, PA 17110

A handwritten signature in black ink, appearing to read "J. Ricci", written over a horizontal line.

Joseph A. Ricci, Esquire